

61 / AP 3661

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

Koichi OGAKI

Group Art Unit: 3661

Application No.: 10/086,530

Examiner: R. Camby

Filed: March 4, 2002

Docket No.: 112056

For: VEHICLE TRAVELING STATE RECORDING METHOD AND COMPUTER FOR  
ENGINE CONTROL

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**GROUP 3600**

Sir:

In reply to the March 5, 2004 Office Action, reconsideration of the present application based on the following remarks is respectfully requested. Claims 1-16 are pending in this application.

Applicant thanks the Examiner for the indication that claims 1-14 are allowed.

The Office Action rejects claims 15 and 16 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,393,347 B1 to Snyder et al. ("Snyder"). However, it appears that this rejection was intended to be applied under 102(e), since the 102(e) statute language is set forth directly above the rejection. In any event, Snyder does not qualify as prior art under 102(b), since its issue date is less than one year before Applicant's filing date (in fact, it is after Applicant's filing date). Therefore, Applicant will address this rejection as if applied under 102(e). This rejection is respectfully traversed.

Snyder does not constitute prior art under 35 U.S.C. §102(e). Specifically, Snyder is not prior art at least because Snyder's U.S. filing date of June 20, 2001, is later than the priority date, March 5, 2001, of the present application.

Enclosed is a verified translation of the priority application Japanese Patent Application No. 2001-060135, filed March 5, 2001 to perfect the claim for priority.

Thus, for at least the reason discussed above, it is respectfully submitted that the rejection is moot. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Jude L. Cooney  
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JAO:JLC/aaw

Attachments:

Verified Translation of Priority Document

Date: June 7, 2004

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